

(Decree of Minister of Agriculture No. 222/Kpts/SR.140/4/2004 dated April 13, 2004)

MINISTER OF AGRICULTURE,

Considering:

- a. that, pesticides requested for registration have been evaluated and tested and the results have complied with the required conditions;
- b. that, based on the foregoing matter and pursuant to Article 11 of Decree of the Minister of Agriculture No. 434.1/Kpts/TP.270/7/2001 on Conditions and Procedure for Pesticide Registration, it is necessary to register and grant permanent license for pesticides.

In view of:

1. Law No. 12/1992 on Plant Cultivation System (Statute Book of 1992 No. 46, Supplement to Statute Book No. 3478);
2. Law No. 23/1992 on Health (Statute Book of 1992 No. 100, Supplement to Statute Book No. 3495);
3. Law No. 23/1997 on Environmental Treatment (Statute Book of 1997 No. 68, Supplement to Statute Book No. 3699);
4. Law No. 8/1999 on Consumer Protection (Statute Book of 1999 No. 42, Supplement to Statute Book No. 3821);
5. Law No. 22/1999 on Regional Administration (Statute Book of 1999 No. 60, Supplement to Statute Book No. 3839);
6. Government Regulation No. 7/1973 on Supervision Over Pesticide Circulation, Storage, and Utilization (Statute Book of 1973 No. 12);
7. Government Regulation No. 6/1995 on Protection of Plants (Statute Book of 1995 No. 12, Supplement to Statute Book No. 3586);
8. Government Regulation No. 25/2000 on Governmental Authority and Provincial Authority as Autonomous Region (Statute Book of 2000 No. 54, Supplement to Statute Book No. 3952);
9. Government Regulation No. 74/2001 on Treatment of Hazardous and Toxic Materials (Statute Book of 2001 No. 138, Supplement to Statute Book No. 4153);
10. Government Regulation No. 49/2002 (Statute Book of 2002 No. 92, Supplement to Statute Book No. 4224) juncto Government Regulation No. 7/2004 on Tariffs of Non-Taxable State Revenues Applicable within the Department of Agriculture (Statue Book of 2004 No. 14, Supplement to Statute Book No. 4362);
11. Presidential Decree No. 228/M/2001;

12. Presidential Decree No. 102/2001 on Status, Duties, Functions, Authorities, Organizational Structures, and Work Procedures of Ministries;
13. Presidential Decree No. 109/2001 on Organizational Units and Duties of Echelons I of Ministries;
14. Decrees of the Minister of Agriculture No. 01/Kpts/OT.210/1/2001 juncto No. 354.1/Kpts/OT.210/6/2001 and No. 354/Kpts/OT.210/6/2003 on Organizational Structure and Work Procedure of the Department of Agriculture;
15. Decrees of the Minister of Agriculture No. 99/Kpts/OT.210/2/2001 juncto No. 392/Kpts/OT.210/7/2001 and No. 355/Kpts/OT.210/65/2003 on Complete Organizational Structure and Work Procedure of the Department of Agriculture;
16. Decree of the Minister of Agriculture No. 434.1/Kpts/TP.270/7/2001 on Conditions and Procedure for the Registration of Pesticide Formulas.
17. Decree of the Minister of Agriculture No. 194/Kpts/KP.194/3/2002 on Pesticide Committee;
18. Decree of the Minister of Agriculture No. 517/Kpts/TP.270/9/2002 on Pesticide Supervision.

DECIDES :

To stipulate:

DECREE OF THE MINISTER OF AGRICULTURE ON REGISTRATION AND GRANT OF PERMANENT LICENSE FOR PESTICIDES.

Article 1

- (1) Pesticides as mentioned in column 2 of Annexes I and II of this Decree have been registered and have been granted permanent licenses as set forth in Article 11 of Decree of the Minister of Agriculture No. 434.1/Kpts/TP.270/7/2001 on Conditions and Procedure for Pesticide Registration in the name of holders of licenses as written in column 6.
- (2) The licenses as mentioned in paragraph (1) shall be valid for 5 (five) years since the stipulation of this Decree, to circulate or issue certifications regarding the pesticides as mentioned in paragraph (1) in compliance with the laws in force.
- (3) The holders of the licenses as mentioned in paragraph (1) may be reviewed if they have no longer be permitted to re-register those pesticides by owners of pesticides formulas or if they do not comply with the laws in force.

- (4) The request for re-registration as mentioned in column 2 of Annex II of this Decree must be submitted in writing 2 (two) months prior to the termination of the licenses as mentioned in paragraph (2).

Article 2

- (1) Those pesticides as mentioned in Article 1 paragraph (1) contain active substances as specified in column 2 with formulas as written in column 3 of Annexes I and II of this Decree.
- (2) Composition of the formulas, physical and chemical characteristics, stability, compatibility, and other characteristics of the active substances and the formulas must match with the ones contained in the request for registration.

Article 3

- (1) Those pesticides as mentioned in Article 1 paragraph (1) shall only be:
- Imported and/or manufactured by holders of licenses and/or other parties authorized by them pursuant to the laws in force;
 - Stored and circulated in original containers with labels approved by the Director for Fertilizers and Pesticides;
 - Utilized in accordance with the conditions set forth in columns 4 and 5 of Annexes I and II of this Decree and in accordance with the instructions written on the labels.
- (2) Those pesticides as mentioned in Article 1 paragraph (1) shall not be transported by, except with the approval of the Minister of Agriculture or his or her authorized officer.

Article 4

- (1) The holders of the licenses as mentioned in Article 1 paragraph (1) must warrant that:
- Upon the beginning of circulation, the quality of pesticides must be in accordance with the provision of Article 2;
 - Pesticides shall be circulated in containers and packages in accordance with those written in the request for registration and have been agreed by the Directorate General for the Development of Agricultural Infrastructures as mentioned in Article 3 paragraph (1) clause b;
 - Each container and package shall be completed with a label pursuant to Decree of the Minister of Agriculture No. 434.1/Kpts/TP.270/7/2001 on Conditions and Procedure for Pesticide Registration;

- Every information in whatever form distributed by the holders of licenses or their authorized parties shall comply with the data and information written in the request for registration.

- (2) The holders of licenses as mentioned in Article 1 paragraph (1) must guarantee:

- that the circulated pesticides are not in damaged condition which will result in ineffectiveness of the pesticides and/or unsafety to be circulated and utilized;
- to withdraw from circulation, pesticides which quality does not comply with the conditions of the laws in force;
- to stop the circulation of pesticides which containers, packages, and labels are not in accordance with the provisions of paragraph (1) clauses b and c until replacement of those containers, packages, and labels with qualified ones;
- to withdraw any unqualified information.

- (3) The holders of licenses as mentioned in Article 1 paragraph (1) must submit to the Directorate General for the Development of Agricultural Infrastructures:

- Pure active substances to be laboratory-tested against the pesticides as mentioned in Article 1 paragraph (1);
- Samples of pesticide formulas as mentioned in Article 2 and the containers, packages, and labels as mentioned in paragraph (1) clauses b and c.

Article 5

The licenses as mentioned in Article 1 paragraph (1) may be amended, replaced, or withdrawn if the pesticides as mentioned in Article 1 paragraph (1) do not comply with the laws in force, have unexpected side effects, or are potential of causing dangerous effects which previously were unknown.

Article 6

This Decree shall come into effect from the date of stipulation.

Stipulated in Jakarta

On April 13, 2004

MINISTER OF AGRICULTURE

Sgd

BUNGARAN SARAGIH

Editor's Note :

-The Annexes are not available.

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